



## LODI CITY COUNCIL

**Carnegie Forum**  
305 West Pine Street, Lodi

## AGENDA - REGULAR MEETING

**Date:** February 4, 2004

**Time:** Closed Session 6:00 p.m.  
Regular Meeting 7:00 p.m.

For information regarding this Agenda please contact:

**Susan J. Blackston**

**City Clerk**

**Telephone: (209) 333-6702**

**NOTE:** All staff reports or other written documentation relating to each item of business referred to on the agenda are on file in the Office of the City Clerk and are available for public inspection. If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. To make a request for disability-related modification or accommodation contact the City Clerk's Office as soon as possible and at least 24 hours prior to the meeting date.

### **C-1 Call to Order / Roll Call**

### **C-2 Announcement of Closed Session**

- a) Actual Litigation: Government Code §54956.9(a); one case; People of the State of California; and the City of Lodi, California v. M & P Investments, et al.; United States District Court, Eastern District of California, Case No. CIV-S-00-2441 FCD JFM
- b) Actual litigation: Government Code §54956.9(a); one case; Quesada v. City of Lodi et al., Superior Court of California, County of San Joaquin, Stockton Branch, Case No. CV 016631

### **C-3 Adjourn to Closed Session**

***NOTE: THE FOLLOWING ITEMS WILL COMMENCE NO SOONER THAN 7:00 P.M.***

### **C-4 Return to Open Session / Disclosure of Action**

#### **A. Call to Order / Roll call**

#### **B. Invocation** – Senior Pastor Jimmy McClelland, New Hope Free Will Baptist Church

#### **C. Pledge of Allegiance** – Boy Scout Troop 291

#### **D. Presentations**

D-1 Awards – None

D-2 Proclamations – None

D-3 Presentations

- a) Presentation of Certificates of Recognition to participants in the Lodi Breakthrough Project
- b) Presentation by Downtown Lodi Business Partnership to winners of the 2003 Parade of Lights
- c) Presentation regarding Ballot Measure L, *Funding Repairs, Upgrades, and Expansions to San Joaquin Delta College* (CM)

#### **E. Consent Calendar (Reading; comments by the public; Council action)**

E-1 Receive Register of Claims in the amount of \$6,954,736.21 (FIN)

E-2 Approve minutes (CLK)

- a) December 17, 2003 (Regular Meeting)
- b) January 7, 2004 (Regular Meeting)
- c) January 16, 2004 (Special Meeting)

E-3 Approve specifications and authorize advertisement for bids for 384 watthour meters (EUD)

- E-4 Approve specifications and authorize advertisement for bids for janitorial services for City facilities (PW)
- E-5 Approve specifications and authorize advertisement for bids for a pre-cast concrete Fiber Optic Control building (\$25,000) (EUD)
- E-6 Authorize return of the remaining donated Breakaway Sports items to Dave Vaccarezza (PR)
- E-7 Accept improvements under contract for Police Department Facility, 215 West Elm Street; and notification of Contract Change Orders (PW)
- Res. E-8 Adopt resolution accepting a portion of the improvements in Century Meadows Two, Unit No. 4, Tract No. 3272, and adopt resolution amending Section 2 of Traffic Resolution 97-148 approving the installation of a stop sign at Crown Place and Lexington Drive and yield signs on Victoria Drive at Crown Place (PW)
- Res. E-9 Adopt resolution approving the application to apply for re-certification grant funds to operate the Lodi LOOK after school program at Washington Elementary School under the After School Education and Safety Program through the California Department of Education (PR)

**F. Comments by the public on non-agenda items**

THE TIME ALLOWED PER NON-AGENDA ITEM FOR COMMENTS MADE BY THE PUBLIC IS LIMITED TO FIVE MINUTES.

The City Council cannot deliberate or take any action on a non-agenda item unless there is factual evidence presented to the City Council indicating that the subject brought up by the public does fall into one of the exceptions under Government Code Section 54954.2 in that (a) there is an emergency situation, or (b) the need to take action on the item arose subsequent to the agenda's being posted.

Unless the City Council is presented with this factual evidence, the City Council will refer the matter for review and placement on a future City Council agenda.

**G. Public Hearings – None**

**H. Communications**

- H-1 Claims filed against the City of Lodi – None
- H-2 Reports: Boards/Commissions/Task Forces/Committees – None
- H-3 Appointments
  - a) Post for expiring terms on the East Side Improvement Committee (CLK)
  - b) Appointment to the Senior Citizens Commission (CLK)
- H-4 Miscellaneous – None

**I. Regular Calendar**

- I-1 Discussion and action regarding Phase II budget adjustments (CM)
- I-2 Updates from Mayor Larry Hansen regarding the following issues: (CC)
  - Barger & Wolen audit of Envision Law Group's billings
  - status of recruitment process for new City Attorney
  - progress on Request for Proposals for special counsel to represent the City of Lodi in its Environmental Abatement Program litigation
  - legal proceedings relative to the Environmental Abatement Program litigation
- Res. I-3 Adopt resolution appropriating funds to the City Attorney Operating Account for professional services rendered by Kronick Moskovitz Tiedemann & Girard for serving in the capacity of Deputy City Attorney (\$48,000) (CA)
- I-4

Discussion and direction regarding adjusting water and wastewater rates (PW)
- I-5

Introduce ordinance repealing Lodi Municipal Code Section 13.04.130 and adopting new section establishing low-income discounts for water, sewer, and refuse services (PW)

Pulled

Pulled

(Introduce)

- J. Ordinances – None**
- K. Comments by the City Council Members on non-agenda items**
- L. Comments by the City Manager on non-agenda items**
- M. Adjournment**

Pursuant to Section 54954.2(a) of the Government Code of the State of California, this agenda was posted at least 72 hours in advance of the scheduled meeting at a public place freely accessible to the public 24 hours a day.

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Susan J. Blackston  
City Clerk